

REMARKS

Applicants submit this Amendment after Final in response to the July 7, 2003 Final Rejection and following a telephone interview with the Examiner on October 9, 2003. Applicants wish to thank the Examiner for the courtesy extended in granting and conducting the telephonic interview with applicant and his representatives.

As discussed during the interview, Pagano et al., U.S. Patent No. 5,772,988 (“Pagano”) discloses a composition for a nail enamel. The art of creating a nail enamel is distinct from the art of creating an artificial nail composition. Nail enamels typically comprise a polymer dissolved in a solvent, whereby through the process of evaporation, the polymer temporarily adheres to the nail plate via hydrogen bonds typically for a period of approximately three days.

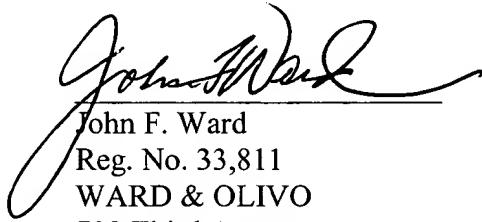
In contrast, the artificial nail composition of the present invention utilizes monomers, which react in situ, forming polymers with the keratin of the nail plate. The covalent bonds formed with the nail plate result in adhesion lasting approximately three months. On this basis, we respectfully submit that Montgomery, U.S. Patent No. 5,098,696 ("Montgomery") (dealing with artificial nail compositions), and Pagano (relating to nail enamels) are nonanalogous art, and thus the combination asserted by the Examiner should be reconsidered.

Furthermore, Pagano uses a monoethylenically unsaturated vinyl monomer with plural carboxyl groups (i.e., AAEMA), and he teaches reacting 20% by weight AAEMA to form a polymer. The carbonyl groups are converted to hydroxy functional groups and thus the polymer becomes a completely different chemical than the AAEMA monomer. While applicant has determined that Pagano is non-analogous to the present invention, he has also determined that the artificial nail composition of the present invention preferably incorporates the multicarbonyl-

1 vinyl containing monomer at less than 20% by weight. Applicants have amended the claims and
2 the specification such that even if reliance on Pagano was appropriate, the claims as amended
3 now avoid Pagano and are in condition for allowance.

4 Applicant submits that claims 31-48 represent a novel and patentable contribution to the
5 art and that the application is in condition for allowance. Early and favorable action is
6 respectfully requested.

Respectfully submitted,



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